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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/550,702

09/26/2005

Luc Seyfried

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EXAMINER

ROBINSON, RENEE E

ART UNIT

PAPER NUMBER

1797

MAIL DATE

DELIVERY MODE

03/31/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/550,702	Applicant(s) SEYFRIED, LUC	
	Examiner RENEE ROBINSON	Art Unit 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-23, 26, 29, 31, 32, 34-41 and 43-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-23, 26, 29, 31, 32, 34-41, 47-49, 52 and 53 is/are allowed.
- 6) ☒ Claim(s) 43-46 and 50 is/are rejected.
- 7) ☒ Claim(s) 45, 46 and 51 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment/Arguments

1. Amendment to claims 18, 19, 26, 29, 31, 32, 34, 38-41 and 47-49; cancellation of claims 24, 27, 28, 30, 33 and 42; and addition of new claim 53 is noted.
2. Objection to claims 27-29 and 30-33 is withdrawn.
3. Rejection of claims 18-24 and 26-52 under 35 USC 112, second paragraph, is withdrawn.
4. Rejection of claims 47-49 under 35 USC 112, second paragraph, and 35 USC 101 is withdrawn.
5. Applicant's arguments, see pp. 10-14, filed 22 December 2009, with respect to the rejections under 35 USC 103(a) have been fully considered and are persuasive. The rejections of claims 18-23, 26, 29, 31, 32, 34-41, 43-52 have been withdrawn.

Claim Objections

6. Claims 45 and 46 objected to because of the following informalities: the dependency of claim 45 is improper because the claim depends from canceled claim 42 (and claim 46 depends from claim 45). Appropriate correction is required.
7. Claim 51 is objected to because of the following informalities: the claim dependency of claim 51 is improper because it depends from canceled claim 24. Appropriate correction is required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 43-46 and 50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Regarding claims 43-46, it is unclear what is meant by "its benzene content is..." Examiner has interpreted the "its" to mean the fuel. However, the "its" renders the claim indefinite because there are other components in claim 18 to which the benzene content could refer to; for example, it could refer to the base B1. Examiner suggests that the claim would be more definite if the language "its benzene content is..." was changed to "the benzene content in the fuel is..."

11. Claim 50 recites the limitation "said hydrocarbons base (B3) essentially composed of cycloparaffins comprising 6 to 8 carbon atoms" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim. Claim 18 was amended to reflect that hydrocarbons base (B3) is "essentially composed of cyclohexane". Therefore, claim 50 should recite "said hydrocarbons base (B3) essentially composed of *cyclohexane*".

Allowable Subject Matter

12. Claims 18-23, 26, 29, 31, 32, 34-41, 47-49, 52 and 53 are allowed.
13. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).
14. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach or fairly suggest a fuel for feeding spark ignition engines with the claimed composition. Specifically, the prior art of record does not teach or fairly suggest a fuel containing:
 - greater than 40% by volume of a first hydrocarbon base (B1) essentially constituted by isoparaffins comprising 6 to 9 carbon atoms, wherein a level of isoparaffins containing eight carbon atoms in the isoparaffinic cut B1 is greater than 70% by mass,
 - a second hydrocarbon cut (B2) constituted by isoparaffins comprising 4 or 5 carbon atoms, and
 - at least 5.0% by volume of a *hydrocarbons base (B3) essentially composed of cyclohexane*,wherein *the level of aromatic compounds of the fuel is less than 10% by volume.*

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RENEE ROBINSON whose telephone number is (571)270-7371. The examiner can normally be reached on Monday through Thursday 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Walter Griffin can be reached on (571)272-1447. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. R./
Examiner, Art Unit 1797

/Walter D. Griffin/
Supervisory Patent Examiner,
Art Unit 1797